



## CITY OF LODI

## COUNCIL COMMUNICATION

**AGENDA TITLE:** Adopt a Resolution Approving an Agreement Between the City of Lodi and the California Military Department for Use of the National Guard Armory Building Located at 333 N. Washington Street, Lodi, for a Period of One Year and Authorize Stated Repairs

**MEETING DATE:** May 16, 2001

**PREPARED BY:** Parks and Recreation Director

**RECOMMENDED ACTION:** That the City Council adopt a resolution approving an agreement for use of the National Guard Armory Building.

**BACKGROUND INFORMATION:** For several weeks, negotiations have been under way which would result in the City gaining access to National Guard Armory building common areas. These areas consist of a gymnasium and basketball court area of roughly 9,500 square feet, men's and women's restrooms and showers, storage room, kitchen and lounge rooms, and two offices. Attached is the use permit that has been worked out specifying terms for the building use. The Guard desires to have a cooperative and combined use of the building. We will also be working toward a five-year lease agreement.

The building would be used for a wide variety of athletic and recreational programs to benefit our city residents. Prior to use, however, repairs to the ceiling, restrooms, and floors will need to be made. A fence must also be constructed and an electrical panel moved. Attached is a summary sheet of specific items regarding the building and cost estimates.

**FUNDING:** Project estimate: \$85,630  
Funding: \$50,000 Community Development Block Grant Funds  
\$35,630 Contingency Funds

Funding available: *Ruby R. Davis for*  
Finance Director

*Roger Baltz*  
Roger Baltz  
Parks and Recreation Director

RB:svb

cc: City Attorney

APPROVED: *H. Dixon Flynn*

H. Dixon Flynn -- City Manager

05/08/01

**CONCEPT:**

Partnership between City of Lodi Parks and Recreation and the National Guard. The Armory has exciting potential for City uses such as open gym, programming of youth and adult basketball and volleyball, youth and teen dances, and other programs. We are in need of gymnasium facilities and the Guard has a desire to see improvements made to the building as well as increased useage.

**Agreement Elements:**

Parks and Recreation will use facility under a no charge use permit for one year while working to produce a five year lease agreement.

Parks and Recreation will have use of all common areas (basketball court/bathrooms/kitchen/meeting room/two offices at south end of building/storage areas for custodial supplies and other equipment). All other offices stay under Guard use and authority.

Floors (must be re-finished and estimates are a minimum of \$4,000).

Request would be for Guard members to avoid drilling on the floor once any improvements are made.

Bathrooms and showers (must be refurbished to meet ADA requirements and estimate is a minimum of \$50,000 for both bathrooms).

I have discussed this item and prepared a CDBG request to pay for this work if an agreement is reached. The grant has been approved by Council.

Fence for exit area (required for safety and code reasons and estimate is \$660 for 40' of 6' chain link fencing.

There is no A/C in the building common areas.

Ceiling repairs (removal of the ceiling tile is estimated at \$7,500; additional \$6,800 is needed if tiles are asbestos; 1200 sq. ft. of 5/8" drywall @ \$1.36 to be screwed to ceiling, taped, and textured is \$16,320). Total combined amount for ceiling repairs = \$30,620.

Guard is intending to proceed with light replacements and repairs.

On going maintenance for the building would be the responsibility of the City. Options would include attempting to absorb the added maintenance with existing staff (difficult and not recommended) or add part time laborer to staff.

Light switches must be moved out of current office for Parks and Recreation to access (estimated cost is \$350).

**Summation:**

Estimated cost of utilizing Armory (Again - there is no fee or rent):

Worst Case (Year 1):

Floors	\$4,000
Bathrooms	\$50,000
Fencing	\$660
Ceiling	\$30,620
Switches	<u>\$350</u>
	\$85,630

The above costs would be specific to start up only and not re-occurring.

014100

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License No. 225-014100

**LICENSE TO USE STATE MILITARY FACILITY**

THIS AGREEMENT, made and entered into this 16<sup>th</sup> day of April, 1901, by and between the armory board of the State Military Facility located at

333 North Washington Street, Lodi, CA 95240

(Address)

(City)

, California

acting on behalf of the Adjutant General pursuant to Sections 431 and 432 Military and Veterans Code, State of California, hereinafter called the BOARD, and

City of Lodi, Parks & Recreation, 125 North Stockton Street, Lodi, CA 95240

(Name and Address of Licensee)

hereinafter called the LICENSEE:

**WITNESSETH**

That the BOARD in consideration of the payment in advance by the Licensee of the TOTAL LICENSE FEE shown below, hereby authorizes and permits the LICENSEE to use the hereinafter described area of said facility during the times and for the purposes specified.

A. Dates and times of use: \_\_\_\_\_

B. Purposes (in detail): to operate a youth and adult center.

C. Facility area to be used: all common areas (gym, two offices (at south end of building), storage room, lounge, kitchen, lockers, showers and bathrooms.

D. Basic rental rate: \$ \_\_\_\_\_ X \_\_\_\_\_ \$ 0.00  
(Rate) (Number) (Hours, Days, Etc.)

E. Additional space charge: \_\_\_\_\_ X \_\_\_\_\_ X \$005 per Hour \$ 0.00  
(Sq. Ft.) (Hours)

F. Personnel charges: \_\_\_\_\_ X \$ \_\_\_\_\_ \$ 0.00  
(Hours) (Hourly Rate)

G. Fee per use: \$ 0.00

H. TOTAL LICENSE FEE: \$ \_\_\_\_\_ X \_\_\_\_\_ \$ 0.00  
(Fee Per Use) (Number of Uses)

The provisions on the reverse side hereof constitute a part of this agreement. Cashier's check or money order made payable to the Military Department, State of California, will be attached to license.

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year first above written.

\_\_\_\_\_  
(Licensee)

By \_\_\_\_\_  
President, Said Armory Board

\_\_\_\_\_  
(Address of Licensee)

Approved: \_\_\_\_\_  
The Adjutant General


License to Use State Military Facility  
333 N. Washington Street, Lodi, CA 95240  
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ATTEST:

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SUSAN J. BLACKSTON  
City Clerk

Approved as to Form:

  
\_\_\_\_\_  
RANDALL A. HAYS  
City Attorney

**Addendum to Armory License # 225-014100**

California Army National Guard Armory  
333 North Washington Street, Lodi, CA 95240

1. This Armory License permits the City of Lodi to utilize the armory located at 333 North Washington Street, Lodi, CA for a period of time not to exceed one year.
2. The California Military Department intends to negotiate and enter into a five (5) year lease of the property with the City of Lodi for this property within one (1) year. The lease will be in accordance with the California State law. Administrative fees charged by the Department of General Services to prepare and administer the lease will be paid in full by the City of Lodi.
3. The Military Department desires that the Armory be continuously occupied by both the Military and the City of Lodi Parks and Recreation Department under a combined-use program that promotes greater community recreational use.
4. The City of Lodi intends to operate a multiple recreational activities and programs through the supervision of the Parks and Recreation Department. For such purposes as an open gym. For programming of basketball, volleyball, teen dances, and other recreational programs. Parks and Recreation will have use of all common area (basketball court, meeting room, two offices at south end of building, storage area (for custodial supplies and other equipment), lounge, kitchen, lockers, showers and bathrooms. All other offices and rooms remain under exclusive military use and authority.
5. The City of Lodi agrees to make tenant improvements to the building and the grounds in lieu of rent. Tenant improvements may be verbally authorized by the Military Department's Area Coordinator, COL Tim Hodgson at (916) 854-3060.
6. The property shall be returned to the Military Department at the end of this license in the same condition it was received. All tenant improvements shall be removed unless specifically authorized, in writing, to remain by the Area Coordinator.
7. The City of Lodi shall provide the Military Department a Certificate of Insurance stating that general liability insurance of not less than \$1,000,000 per occurrence for bodily injury and property damage liability combined is presently in effect for the license. The Certificate of Insurance must include the following provisions.

*The State of California, its officers, agents, employees, and servants are included as Additional insured, but only with respect to the use of the facility and related Activities under this license.*

8. All provisions printed on the back CAL NG Form 210-29 (Feb 90) remain in effect as part of this License.

Approved: \_\_\_\_\_  
City of Lodi

\_\_\_\_\_  
Military Department

Approved as to form

*Paul A. Hayes*  
City Attorney

ATTEST:

\_\_\_\_\_  
SUSAN J. BLACKSTON  
City Clerk

RESOLUTION NO. 2001-115

A RESOLUTION OF THE LODI CITY COUNCIL AUTHORIZING  
THE CITY MANAGER TO EXECUTE AGREEMENT BETWEEN  
THE CITY OF LODI AND THE CALIFORNIA MILITARY  
DEPARTMENT FOR USE OF THE NATIONAL GUARD  
ARMORY BUILDING LOCATED AT 333 N. WASHINGTON  
STREET, LODI, CALIFORNIA

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WHEREAS, negotiations have taken place between City staff and the California Military Department in order to gain access to the common areas of the National Guard Armory Building located at 333 N. Washington Street, Lodi, CA; and

WHEREAS, the common areas consist of a gymnasium, basketball court area of roughly 9,500 square feet, men's and women's restrooms and showers, storage room, kitchen, lounge rooms, and two offices; and

WHEREAS, the building will be used for a wide variety of athletic and recreational programs to benefit City residents, and therefore staff recommends approval of this Agreement; and

WHEREAS, prior to use of the building, repairs to the ceiling, restrooms, and floors will need to be made, a fence must also be constructed and an electrical panel moved at an approximate cost of \$85,630.00.

NOW, THEREFORE, BE IT RESOLVED, that the Lodi City Council does hereby authorize the City Manager to execute agreement between the City of Lodi and the California Military Department for use of the National Guard Armory building located at 333 N. Washington Street, Lodi, California, for a period of one year.

Dated: May 16, 2001

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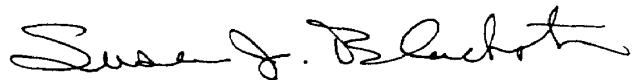
I hereby certify that Resolution No. 2001-115 was passed and adopted by the City Council of the City of Lodi in a regular meeting held May 16, 2001 by the following vote:

AYES: COUNCIL MEMBERS – Howard, Land, Pennino and Mayor Nakanishi

NOES: COUNCIL MEMBERS – Hitchcock

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None

  
SUSAN J. BLACKSTON  
City Clerk